

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas G. Woolston  
 Patent No. : 5,845,265  
 Issue Date : December 1, 1998  
 Serial No. : 08/554,704  
 Filed : November 7, 1995  
 Title : CONSIGNMENT NODES

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**NOTIFICATION OF WITHDRAWAL OF SMALL ENTITY STATUS AND  
FEE DEFICIENCY PAYMENT PURSUANT TO 37 CFR 1.28(c)**

Patentee hereby withdraws its claim to small entity status and voluntarily opts to pay full fees retroactively to June 1, 2001. This withdrawal is not an admission that Patentee did not in fact qualify for small entity status but rather is made solely to moot an assertion made by adjudicated willful infringer eBay Inc. in a litigation matter concerning this patent that Patentee “deliberately claimed small entity status and paid reduced small entity fees, despite licensing its patents to disqualifying large entities.”<sup>1</sup>

Pursuant to 37 CFR 1.28(c), a table is provided that includes an itemization of the deficient fees owed in view of this retroactive withdrawal of small entity status:

| Type of Fee                          | Current Fee Amount for a non-Small Entity | Small Entity Fee Paid | Date Small Entity Fee Paid | Deficiency Owed |
|--------------------------------------|---|-----------------------|----------------------------|-----------------|
| 8 <sup>th</sup> Year Maintenance Fee | \$2,360.00                                | \$1,150.00            | 6/1/2006                   | \$1,210.00      |
| 4 <sup>th</sup> Year Maintenance Fee | \$930.00                                  | \$440.00              | 5/31/2002                  | \$490.00        |

**Total Fees Due: \$1,700.00**

<sup>1</sup> Defendants eBay Inc. and Half.com, Inc.'s Supplemental Memorandum In Support of Defendants' Motion for Leave to File a Supplemental Answer Pursuant to Federal Rule of Civil Procedure 15(D), filed in *MercExchange LLC v. eBay Inc. and Half.com, Inc.*, Case No. 2:01-CV-736 (E.D. Va. Nov. 13, 2007) (filed separately under seal).

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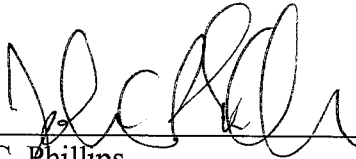
Attorney's Docket No.: 13466-002014

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

12/7/07

  
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